

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 9258-2

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR DETERMINING PARAMETERS FOR CHEMICAL SYNTHESIS AND FOR SUPPLYING THE REAGENTS, EQUIPMENT AND/OR CHEMICALS SYNTHESIZED THEREBY,

the specification of which

☒ is attached hereto

OR

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56, including material information that became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

None			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

None	
Application Number(s)	Filing Date (MM/DD/YYYY)

Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below.

None		
Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

09/22/04 04:50:04

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. I also appoint the following registered attorney(s) to represent me before all competent International Authorities in connection with any and all international applications filed by me with an appropriate receiving office claiming priority to the U.S. application. I also appoint the following registered attorney(s) to make or receive payment on my behalf in connection with the filing of such international applications.

Customer Number 20792

Send correspondence to: Mitchell S. Bigel
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, NC 27627

Direct telephone calls to: Mitchell S. Bigel
(919) 854-1400

Facsimile: (919) 854-1401

Full name of first inventor: Robin Young Smith

Inventor's
Signature: *Robin Young Smith* Date: 1/25/01

Residence: Raleigh, North Carolina

Citizenship: United States of America

Mailing Address: 3525 Boren Court
Raleigh, North Carolina 27616

Full name of second inventor: William Brian Ballard

Inventor's
Signature: William Brian Ballard Date: 1/25/01

Residence: Durham, North Carolina

Citizenship: United States of America

Mailing Address: 400 Mahone Street, Apt. #9
Durham, North Carolina 27713

Full name of third inventor: David Albert Coleman

Inventor's
Signature:  Date: 01/26/2001

Residence: San Francisco, California

Citizenship: United States of America

Mailing Address: 329 Niagara Avenue
San Francisco, California

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Robin Young Smith; William Brian Ballard; David Albert Coleman

Serial No. or Patent No.: To Be Assigned

Filed or Issued: Concurrently

Title: SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR
DETERMINING PARAMETERS FOR CHEMICAL SYNTHESIS AND FOR
SUPPLYING THE REAGENTS, EQUIPMENT AND/OR CHEMICALS
SYNTHESIZED THEREBY

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §1.27(a)(2))--SMALL BUSINESS CONCERN**

I hereby declare that I am

☐

the owner of the small business concern identified below:

☒

an official of the small business concern empowered to act
on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Synthematix, Inc.
ADDRESS OF SMALL BUSINESS CONCERN: 900 Perimeter Park Drive, Suite G
Morrisville, North Carolina 27560

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121, for purposes of paying reduced fees to the United States Patent and Trademark Office, under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average number of persons employed by the concern on a full-time, part-time, or temporary basis during each of the pay periods of the preceding completed 12 calendar months, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒

the specification filed herewith with title as listed above.

☐

the application identified above.

☐

the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, then no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.27(a)(1) if that person made the

invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.27(a)(2), or a nonprofit organization under 37 C.F.R. § 1.27(a)(3).

Each person, concern, or organization having any rights in the invention is listed below:



no such person, concern, or organization exists.



each such person, concern, or organization is listed below.*

Name: _____

Address: _____



Individual



Small Business



Nonprofit Organization

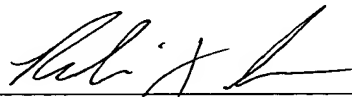
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.27(g)(2))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Robin Young Smith

TITLE OF PERSON IF OTHER THAN OWNER: Chief Technology Officer

ADDRESS OF PERSON SIGNING: 900 Perimeter Park Drive, Suite G
Morrisville, North Carolina 27560

SIGNATURE: 

DATE: 1/25/01